IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8153 OF 2006

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Ms Sunita Mane for the Petitioner.

CORAM : ABHAY S.OKA, J.
DATED : APRIL 04, 2007.

P.C.:

1. By this Writ Petition under Article 227 of the Constitution of India, the original Defendant has taken exception to order dated 06th November, 2006 passed by the trial Court by which Application for appointment of Commissioner made by him under Order 26 Rule 9 of the Code of Civil Procedure, 1908 has been rejected.

2. The order impugned is an interlocutory order. In case the decree passed in the suit is adverse to the Petitioner, the said order can be always challenged in an Appeal which may be preferred for challenging the decree.

3. In view of this position, Writ Petition is not entertained and subject to what is stated above, the same is rejected.

JUDGE